

REMARKS

The Office Action of September 11, 2006 has been carefully considered. Reconsideration of this application in light of the following arguments is respectfully requested.

Claim 11 has been amended to correct a grammatical informality noted therein (change of "a end sensor" to "an end sensor"). No further amendments are presented and the other claims stand as filed or previously presented. Entry of the proposed amendment is respectfully requested to correct the informality, and to place the claims in better condition for allowance or appeal.

Turning now to the office action, the prior rejections have been withdrawn. Claims 1-5, 7, 9 and 10 are allowed. Claims 11 and 14 were rejected under 35 USC 102(b) as being anticipated by US Patent 6,126,103 to Nanbu. Claims 12, 13 and 15-17 were indicated as allowable if rewritten in independent form to include the limitations of the base and intervening claims.

Rejection under 35 U.S.C. §102(b) in view of Nanbu (6,126,103)

Claims 11 and 14 stand rejected under 35 U.S.C. §102(b) in view of Nanbu. The rejection under 35 U.S.C. §102(e) is respectfully traversed in view of the following arguments, arguments that specifically indicate the failure of Nanbu to generally teach the invention as a whole, or to teach or suggest several limitations recited in the claims.

Nanbu is directed to a reel for fishing as clearly set forth in the abstract, background and summary sections of the patent. As set forth at col. 3, lines 22-27, the fishing reel includes a "fishline length measuring apparatus, the microcomputer 45 operates to measure the quantity of played-out fishline based on pulse signals indicative of the revolutions of the spool 23 detected by a number-of-revolutions detecting means (not shown) fitted to the reel body 19 in order to display the measured values on a digital display 51." Conversely, the claimed invention is directed to a device for monitoring the condition of a line wound on a lift pulley (claim 11) or a method for monitoring the condition of a line wound on a lift pulley (claim 14). Applicants respectfully note that

the terms “lift,” “pulley,” and “lift pulley” are not believed to be found in the Nanbu teachings. Accordingly, the patent cannot anticipate the claimed invention.

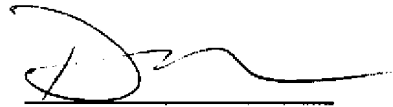
Furthermore, Nanbu does not disclose a slack sensor or an end sensor, and does not even appear to include the word sensor at all in the description. Accordingly, Applicants respectfully submit that absent teachings of the recited limitations, Nanbu cannot anticipate claims 11 and 14. The Examiner has further urged that Nanbu’s teaching of measuring the tension applied to the fish line is somehow “indirectly” a slack sensor. Applicants respectfully maintain that no such teaching is found in Nanbu. Similarly, the Examiner apparently seeks to imply that Nanbu’s teaching of monitoring the length of line somehow gives rise to a teaching of the recited end sensor. Applicants respectfully contend that this is not the case and that the rejection fails to identify the recited elements of a “device for monitoring the condition of a line wound on a lift pulley ..., including: a slack sensor; and an end sensor ...” as set forth in claim 11, for example. As to claim 14, Nanbu fails to teach or suggest “a method for monitoring the condition of a line wound on a lift pulley, including: monitoring the slack condition of the line with a slack sensor; and monitoring the length of line, with an end sensor, to determine when a predetermined maximum length of line has been unwound.” As the specific elements of the rejected independent claims are not found and have not been identified in the rejection, Applicants respectfully traverse the rejection as being improper, or at best incomplete, and request withdrawal of the rejection.

In the event that the rejection is maintained, Applicants respectfully request that the Examiner identify the specific sections of Nanbu relied upon for teaching the limitations found in claims 11 and 14, and Applicants further reserve the right to provide amendments and arguments in the event the rejection is maintained. Absent such an indication, Applicants respectfully urge that anticipation has not been established, and that the rejected claims are in condition for allowance. Withdrawal of the rejection is requested.

In view of the foregoing remarks, reconsideration of this application and allowance of the remaining claims are earnestly solicited. In the event that additional fees are required as a result of this response, including fees for extensions of time, such fees should be charged to USPTO Deposit Account No. 50-2737 for Basch & Nickerson LLP.

In the event the Examiner considers personal contact advantageous to the timely disposition of this case, the Examiner is hereby authorized to call Applicant's attorney, Duane C. Basch, at Telephone Number (585) 899-3970, Penfield, New York.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Duane C. Basch', written over a horizontal line.

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